

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-162IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
OCTOBER 18, 2007*Codification
District of
Columbia
Official Code*

2001 Edition

2008 Winter
Supp.West Group
Publisher

To amend section 47-1803.03 of the District of Columbia Official Code to clarify that District of Columbia public charter school teachers are eligible for certain deductions for taxable years beginning in 2006 and to ensure that the deductions are allowed only to the extent the same expenses were not used by the taxpayer in computing federal adjusted gross income for the same taxable year under the Internal Revenue Code of 1986.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Quality Teacher Incentive Clarification Act of 2007".

Sec. 2. Section 47-1803.03(b-2) of the District of Columbia Official Code is amended to read as follows:

Amend
§ 47-1803.03

"(b-2)(1) Beginning January 1, 2006, an individual who has been a classroom teacher in a public school or public charter school in the District of Columbia for the entire year for which the individual is filing or for the entire year prior to the year for which the individual is filing and is approved for teaching by the District of Columbia Public Schools may deduct from gross income:

"(A) The amount the individual paid during the year for basic classroom materials and supplies necessary for teaching; provided, that the deduction shall not exceed \$500

per year, per individual, whether the individual files individually or jointly; and

"(B) The amount the individual paid during the year as tuition and fees for post-graduate education, professional development, or state licensing examination and testing

required for, or related to, improving teacher credentials or maintaining professional certification; provided, that the deduction shall not exceed \$1,500 per year, per individual, whether the individual files individually or jointly.

"(2) The deductions under paragraphs(1)(A) and (B) of this subsection shall not be allowed to the extent the same expenses were claimed by the individual in computing federal adjusted gross income for the same taxable year under the Internal Revenue Code 1986."

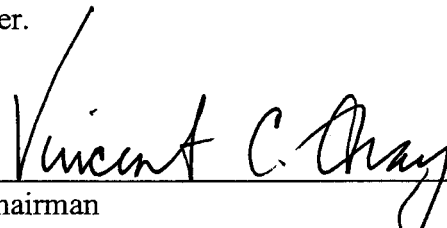
ENROLLED ORIGINAL

Sec. 3. Fiscal impact statement.

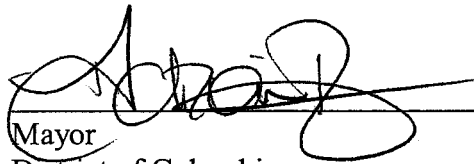
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
October 18, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-163

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 18, 2007

To order the closing of a portion of the public alley system in square 452, bounded by Massachusetts Avenue, N. W., 6th Street, N. W., I Street, N. W., and 7th Street, N. W., in Ward 2.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Public Alley in Square 452, S.O. 06-1034 Act of 2007".

Sec. 2. Pursuant to section 201 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.01), the Council finds that the portion of the public alley in square 452, as shown on the Surveyor's plat filed under S.O. 06-1034, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat. The approval of the Council of this closing is contingent upon the satisfaction of all conditions set forth in the official file S.O. 06-1034.

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor, the Office of Planning, the Building and Land Regulation Administration of the Department of Consumer and Regulatory Affairs, and the Recorder of Deeds.

Sec. 4. Fiscal impact statement.

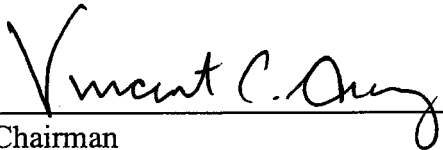
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.


This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
October 18, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-164

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 18, 2007*Codification
District of
Columbia
Official Code*

2001 Edition

2008 Winter
Supp.West Group
Publisher

To establish, on a temporary basis, the District of Columbia Free Clinic Captive Insurance Company to provide medical malpractice liability coverage for nonprofit community health centers in the District of Columbia, to vest management for the Company in the Risk Officer, to establish an Advisory Council to assist and advise the Risk Officer, to provide for approval by the Commissioner of the Department of Insurance, Securities, and Banking, to require the submission of annual reports, to create requirements for the plan of operation for the Company, to establish the Free Clinic Captive Trust Fund, a nonlapsing fund, to serve as the funding mechanism for the Company, and to exempt the Company from District of Columbia taxation and procurement laws; and to repeal the Free Clinic Assistance Program Act of 1986.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Free Clinic Captive Insurance Company Establishment Temporary Act of 2007".

Sec. 2. Definitions.

For the purposes of this act, the term:

- (1) "Advisory Council" means the advisory council established by section 6.
- (2) "Commissioner" means the Commissioner of the Department of Insurance, Securities, and Banking.
- (3) "Company" means the District of Columbia Free Clinic Captive Insurance Company.
- (4) "Free Clinic Captive Trust Fund" or "Fund" means the Free Clinic Captive Trust Fund established as a nonlapsing fund under section 12.
- (5) "Health center" means a health center or service that:
 - (A) Has obtained all licenses, permits, and certificates of occupancy or need that are required as a precondition to lawful operation in the District;
 - (B) Is a tax-exempt organization under section 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3));

ENROLLED ORIGINAL

(C) Is certified by the Commissioner to meet the requirements of this act;
and

(D) Accepts and provides services to individuals regardless of ability to pay; provided, that a health center may accept payment from:

(i) Health insurance providers for services rendered, if a patient has such insurance coverage and consents in writing to the filing of a claim for benefits to which the patient is eligible; and

(ii) Patients on a sliding fee scale.

(6) "Operational" means that the Council has approved insurance policies for the health centers covered under the Free Clinic Assistance Program Act of 1986, effective September 23, 1986 (D.C. Law 6-155; D.C. Official Code § 1-307.21 *et seq.*).

(7) "Risk Officer" means the Chief Risk Officer, established by Reorganization Plan No. 1 of 2003, effective December 15, 2003.

(8) "Tail coverage" means liability insurance purchased by an insured to extend the insurance coverage beyond the end of the policy period of a liability policy written on a claims-made basis.

(9) "Volunteer service provider" means any person licensed to practice in the District who provides health-care, rehabilitative, social, or related administrative services:

(A) At a health center;

(B) To or with respect to a patient of the health center; and

(C) Without receiving payment from the District government for the performance of those services.

Sec. 3. Establishment of the District of Columbia Free Clinic Captive Insurance Company.

(a) The District of Columbia Free Clinic Captive Insurance Company is established as an independent instrumentality of the District, created to effectuate the purposes provided for in this act, but with a legal existence separate from that of the District government. The liability of the Company shall be limited to the funds in the Free Clinic Captive Trust Fund.

(b) The purpose of the Company is to provide medical malpractice liability coverage for health centers, including coverage for volunteer service providers for the services provided at the health centers.

(c) The fiscal year of the Company shall be the fiscal year of the District.

Sec. 4. General powers of the Company.

(a) The Company shall have the authority to:

(1) Enter into contracts as are necessary or proper to carry out the provisions and purposes of this act, including the authority to enter into contracts with similar captives of other

ENROLLED ORIGINAL

states for the joint performance of common administrative functions, or with persons or other entities for the performance of organizational, management, or administrative functions;

(2) Sue or be sued in its own name, including taking any legal actions necessary or proper to recover or collect premiums due the Company;

(3) Take such legal action as necessary:

(A) To avoid the payment of improper claims against the Company or the coverage provided by or through the Company;

(B) To recover any amounts erroneously or improperly paid by the Company;

(C) To recover any amounts paid by the Company as a result of mistake of fact or law; or

(D) To recover other amounts due the Company;

(4)(A) Establish and modify rates, rate schedules, rate adjustments, expense allowances, claim reserve formulas, and any other actuarial function appropriate to the operation of the Company.

(B) Rates and rate schedules may be adjusted for appropriate factors and shall take into consideration appropriate factors in accordance with established actuarial and underwriting practices;

(5) Issue policies of medical malpractice insurance, including tail coverage, in accordance with the requirements of the plan of operation under section 8;

(6) Appoint appropriate legal, actuarial, audit, and other committees as necessary to provide technical assistance in the operation of the Company, policy and other contract design, and any other function within the authority of the Company;

(7) Employ and fix the compensation of employees;

(8) Prepare and distribute certificate of eligibility forms and enrollment instruction forms to health centers;

(9) Provide for reinsurance of risks incurred by the Company;

(10) Provide for, and employ, cost containment measures and risk management program standards;

(11) Establish and operate its own procurement system and contracting policies and procedures;

(12) Seek and receive grant funding from the United States government, District departments or agencies, and private foundations;

(13) Adopt policies, procedures, rules, and standards as may be necessary or convenient for the operation of the Company consistent with this act;

(14) Adopt and administer personnel policies and procedures;

(15) Employ its own general counsel and special counsel from time to time as needed;

ENROLLED ORIGINAL

(16) Adopt and administer its own procurement and contracting policies and procedures; and

(17) Select, retain, and employ professionals, contractors, or agents which are necessary or convenient to enable or assist the Company in carrying out the purposes of the Company.

(b) In any legal action, the Company shall be represented by its general counsel and other attorneys, as necessary, and, notwithstanding any other provision of law, shall not be subject to oversight by the Office of the Attorney General.

(c)(1) Upon the request of the Company, the Mayor and the governing officer or body of each instrumentality of the District, by delegation or agreement, may direct that personnel or other resources of a District agency or instrumentality be made available to the Company on a full cost-reimbursable basis to carry out the Company's duties.

(2) Personnel detailed to the Company under this subsection shall not be considered employees of the Company, but shall remain employees of the agency or instrumentality from which the employees were detailed.

(3) With the consent of an executive agency, department, or independent agency of the federal government or the District government, the Company may use the information, services, staff, and facilities of the department or agency on a full cost-reimbursable basis.

Sec. 5. Management of the Company.

(a) The management of the Company shall be vested in, and the Company shall be administered by, the Risk Officer.

(b) The Risk Officer shall employ a captive manager who shall run the day-to-day affairs of the Company and shall report to the Risk Officer. The Risk Officer shall employ such other professionals as are necessary or appropriate to effectuate the purposes of the Company.

(c) The Risk Officer may delegate the authority to perform any function authorized to be performed by the Risk Officer under this act.

(d) The Risk Officer may hire Company staff, including a general counsel.

Sec. 6. Advisory Council to the Company.

(a) There is established an Advisory Council to the Company to assist and advise the Risk Officer regarding the Company.

(b) The Advisory Council shall consist of the following members:

(1) Three persons appointed by the Mayor;

(2) Six persons appointed by the Risk Officer, of whom:

(A) One person shall represent the District of Columbia Primary Care Association;

(B) Two persons shall represent District of Columbia health centers; and

(C) Three persons shall have insurance expertise.

ENROLLED ORIGINAL

(3) The Risk Officer and the captive manager shall serve as *ex officio* members of the Advisory Council.

(c) The Risk Officer shall serve as chairperson of the Advisory Council.

(d) The Risk Officer shall determine the terms that the initial Advisory Council members shall serve. Three of the Advisory Council members shall serve a term of 2 years; 3 of the Advisory Council members shall serve a term of 4 years; and 2 of the Advisory Council members shall serve a term of 6 years; provided, that the representative from the District of Columbia Primary Care Association shall always serve as a member of the Advisory Council.

(e) Subsequent Advisory Council members shall serve a term of 3 years. An Advisory Council member's term shall continue until his or her successor is appointed. The Advisory Council members may be reappointed for additional terms.

(f) Vacancies in the Advisory Council shall be filled by the Risk Officer. Advisory Council members may be removed by the Risk Officer for cause.

(g) Advisory Council members shall not be compensated in their capacity as Advisory Council members, but shall be reimbursed for reasonable expenses incurred in the necessary performance of their duties.

(h) The Advisory Council shall:

- (1) Advise the Risk Officer in the general oversight of the Company;
- (2) Assess the needs and interests of the health centers; and
- (3) Meet at least on an annual basis, at meetings announced by the Risk Officer.

Sec. 7. Approval of plan of operation by Commissioner; annual report to Commissioner; financial examination.

(a) Prior to the offering and issuance of insurance policies, the Company shall submit to the Commissioner for approval a plan of operation which meets the requirements of section 8. The Company shall also submit for approval any proposed material changes to the plan.

(b)(1) On or before March 2 of each year, the Company shall submit to the Commissioner, on a form prescribed by the Commissioner by rule, a report of its financial condition, as prepared by a certified public accountant. The Company shall file a consolidated report on behalf of each of its segregated accounts.

(2) The Company shall use generally accepted accounting principles and include any useful or necessary modifications or adaptations thereof that have been approved or accepted by the Commissioner for the type of insurance and kinds of insurers to be reported upon, as supplemented by additional information required by the Commissioner.

(c)(1) The Commissioner, or his designee, may visit the Company at such times as he or she considers necessary to thoroughly inspect and examine the affairs of the Company to ascertain:

- (A) The financial condition of the Company;
- (B) The ability of the Company to fulfill its obligations; and

ENROLLED ORIGINAL

(C) Whether the Company has complied with the provisions of this act and the rules adopted pursuant thereto.

(2) The Commissioner may require the Company to retain qualified independent legal, financial, and examination services from outside the Department of Insurance, Securities, and Banking to conduct the examination and make recommendations to the Commissioner. The cost of the examination shall be paid by the Company.

Sec. 8. Plan of operation for the Company.

(a) The captive manager shall submit to the Risk Officer a plan of operation for the Company that has been approved by the Commissioner and any amendments thereto necessary or suitable to assure the fair, reasonable, and equitable administration of the Company.

(b) The plan of operation shall:

(1) Become effective upon approval in writing by the Commissioner and the Risk Officer;

(2) Establish procedures for the operation of the Company;

(3) Establish procedures for health centers to qualify to purchase medical malpractice insurance from the Company;

(4) Establish procedures, under the management of the Risk Officer, for the payment of administrative expenses;

(5) Establish procedures for adjustment and payment of claims made under the policies issued by the Company, including procedures for administrative review and resolution of disputes arising over such claims;

(6) Establish procedures for tail coverage to health centers purchasing medical malpractice liability coverage through the Company;

(7) Develop standards for the level of subsidies to be provided to health centers to offset premiums due to the Company;

(8) Establish rules, conditions, and procedures for facilitating the reinsurance of risks of participating health centers;

(9) Establish risk management standards to which the health centers shall adhere, and auditing procedures for the compliance of risk management standards by health centers;

(10) Establish underwriting guidelines for policyholders; and

(11) Provide for other matters as may be necessary and proper for the execution of the Risk Officer's and the captive manager's respective powers, duties, and obligations under this act.

Sec. 9. Annual report to the Mayor and Council.

(a) The Risk Officer shall make an annual report to the Mayor and the Council.

(b) The report shall be filed within 60 days of the Company filing the annual report with

ENROLLED ORIGINAL

the Commissioner under section 7(b).

(c) The report shall summarize the activities of the Company in the preceding calendar year, including the net earned premiums, health center enrollment in the Company program, the expense of administration, and the paid and incurred losses.

Sec. 10. Liabilities of Risk Officer, captive manager, and Advisory Council.

(a) The Risk Officer, captive manager, and Advisory Council members shall not be liable for any obligations of the Company.

(b) The Risk Officer, captive manager, and Advisory Council members shall not be liable, or shall any cause of action of any nature arise against them, for any act or omission related to the performance of their powers and duties under this act, unless the act or omission constitutes willful or wanton misconduct.

Sec. 11. Coverage.

The Company shall offer health centers medical malpractice insurance consistent with coverage offered in the market. The coverage to be issued to the health centers shall be established by the Risk Officer with the advice of the Advisory Council and subject to the approval of the Commissioner.

Sec. 12. Establishment of the Free Clinic Captive Trust Fund.

(a) There is established as a nonlapsing fund the Free Clinic Captive Trust Fund, which shall be used as set forth in subsection (b) of this section. All funds deposited in the Fund, and any interest earned thereon, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (b) of this section without regard to fiscal year limitation, subject to authorization by Congress.

(b) The Fund shall be used solely to pay for the costs and expenses of the establishment, operation, and administration of the Company, which costs and expenses shall include:

- (1) The hiring of a captive manager and other professionals to manage and administer the day-to-day operations of the Company;
- (2) The hiring of staff, including a general counsel;
- (3) The administration of the day-to-day operations of the Company;
- (4) The payment of claims and losses under policies of insurance to be issued by the Company; and
- (5) The costs of the management, administration, and operation of the Fund.

(c) There shall be deposited into the Fund:

- (1) All insurance premiums or other revenues which may be received by the Fund; and

ENROLLED ORIGINAL

(2) An amount equal to the unobligated balance of amounts appropriated and allocated by section 2055(18) of the Fiscal Year 2007 Budget Support Act of 2006, effective March 2, 2007 (D.C. Law 16-192; 53 DCR 6899).

(d) The funds in the Fund may be invested in private securities and any other form of investment which is considered appropriate by the Commissioner and the Chief Financial Officer. The Company shall file each with the Commissioner and the Chief Financial Officer a schedule of the proposed investments of the funds and any material changes thereto.

Sec. 13. Exemption from District of Columbia taxation.

The Company shall be exempt from all District of Columbia taxes.

Sec. 14. Exemption from District of Columbia procurement laws.

The Company shall not be subject to the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*).

Sec. 15. Rules.

The Risk Officer, pursuant to Title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this act.

Sec. 16. Implementation.

The Commissioner shall collaborate with the Risk Officer and the Advisory Council to implement this act.

Sec. 17. Repeal of the Free Clinic Assistance Program Act.

The Free Clinic Assistance Program Act of 1986, effective September 23, 1986 (D.C. Law 6-155; D.C. Official Code § 1-307.21 *et seq.*), is repealed as of the date when the Company becomes operational.

Sec. 18. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

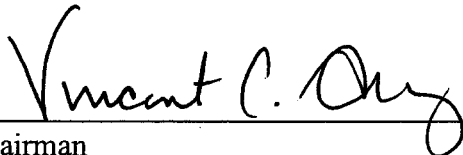
Sec. 19. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved

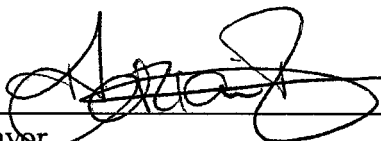
ENROLLED ORIGINAL

December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor

District of Columbia
APPROVED

October 18, 2007

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-165IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
OCTOBER 19, 2007*Codification
District of
Columbia
Official Code*

2001 Edition

2008 Winter
Supp.West Group
Publisher

To establish minimum energy efficiency standards for certain products sold or installed in the District of Columbia; and to amend An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, to make a conforming amendment.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Energy Efficiency Standards Act of 2007".

Sec. 2. Definitions.

For the purposes of this act, the term:

- (1) "Ballast" means a device used with an electric discharge lamp to obtain necessary circuit conditions (voltage, current, and waveform) for starting and operating the lamp.
- (2) "Bottle-type water dispenser" means a water dispenser that uses a bottle or reservoir as the source of potable water.
- (3) "Commercial hot food holding cabinet" means a heated, fully-enclosed compartment with one or more solid or glass doors that is designed to maintain the temperature of hot food that has been cooked in a separate appliance. The term "commercial hot food holding cabinet" shall not include heated glass merchandizing cabinets, drawer warmers, or cook-and-hold appliances.
- (4) "Construction Codes" means the standards and requirements adopted pursuant to the Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1401 *et seq.*).
- (5) "High-intensity discharge lamp" means a lamp in which light is produced by the passage of an electric current through a vapor or gas and in which the light-producing arc is stabilized by bulb wall temperature and the arc tube has a bulb wall loading in excess of 3 watts per square centimeter.
- (6) "Metal halide lamp" means a high-intensity discharge lamp in which the major portion of the light is produced by radiation of metal halides and their products of dissociation, possibly in combination with metallic vapors.
- (7) "Metal halide lamp fixture" means a light fixture designed to be operated with a metal halide lamp and a ballast for a metal halide lamp.
- (8) "Probe-start metal halide ballast" means a ballast which is used to operate metal halide lamps, which does not contain an igniter, and which starts lamps by using a 3rd starting electrode probe in the arc tube.
- (9) "Single-voltage external AC to DC power supply" means a device that:

ENROLLED ORIGINAL

- output;
- (A) Is designed to convert line voltage AC input into lower voltage DC
 - (B) Is able to convert to only one DC output voltage at a time;
 - (C) Is sold with, or intended to be used with, a separate end-use product that constitutes the primary power load;
 - (D) Is contained within a separate physical enclosure from the end-use product;
 - (E) Is connected to the end-use product through a removable or hard-wired male/female electrical connection, cable, cord, or other wiring;
 - (F) Does not have batteries or battery packs, including those that are removable, that physically attach directly to the power supply unit;
 - (G) Does not have a battery chemistry or type selector switch and:
 - (i) Indicator light; or
 - (ii) A battery chemistry or type selector switch and a state of charge meter; and
 - (H) Has a nameplate output power not exceeding 250 watts.
- (10) "State-regulated incandescent reflector lamp" means a lamp, not colored or designed for rough or vibration service applications, with an inner reflective coating on the outer bulb to direct the light, an E26 medium screw base, a rated voltage or voltage range that lies at least partially within 115 to 130 volts, and that falls into either of the following categories:
- (A) A blown PAR, bulged reflector, elliptical reflector, or similar bulb shape with a diameter equal to or greater than 2.25 inches; or
 - (B) A reflector, parabolic aluminized reflector, or similar bulb shape with a diameter of 2.25 to 2.75 inches.
- (11) "Walk-in refrigerator or freezer" means a refrigerated space that can be walked into and has a total chilled and frozen storage area of less than 3,000 square feet, operates at chilled (above 32 degrees Fahrenheit) or frozen (at or below 32 degrees Fahrenheit) temperature, and is connected to a self-contained or remote condensing unit. The term "walk-in refrigerator or freezer" shall not include products designed and marketed exclusively for medical, scientific, or research purposes, or refrigerated warehouses.
- (12) "Water dispenser" means a factory-made assembly that mechanically cools and heats potable water and that dispenses the cooled or heated water by integral or remote means.

Sec. 3. Scope.

- (a) This act shall apply to the following types of new products sold, offered for sale, or installed in the District of Columbia:
- (1) Bottle-type water dispensers;
 - (2) Commercial hot food holding cabinets;
 - (3) Metal halide lamp fixtures;
 - (4) Single-voltage external AC to DC power supplies;
 - (5) State-regulated incandescent reflector lamps;
 - (6) Walk-in refrigerators or freezers; and
 - (7) Any other products designated by the Mayor in accordance with section 5.
- (b) This act shall not apply to:
- (1) New products manufactured in the District of Columbia and sold outside the

ENROLLED ORIGINAL

District of Columbia;

(2) New products manufactured outside the District of Columbia and sold at wholesale inside the District for final retail sale and installation outside the District of Columbia;

(3) Products installed in mobile manufactured homes at the time of construction; or

(4) Products designed expressly for installation and use in recreational vehicles.

Sec. 4. Standards and implementation.

(a) On or after January 1, 2009, a new bottle-type water dispenser, commercial hot food holding cabinet, metal halide lamp fixture, state-regulated incandescent reflector lamp, or walk-in refrigerator or freezer shall not be sold or offered for sale in the District of Columbia unless the efficiency of the new product meets or exceeds the efficiency standards set forth in subsection (b) of this section.

(b) On or after January 1, 2010, a product listed in subsection (a) of this section shall not be installed in the District of Columbia unless the efficiency of the new product meets or exceeds the following efficiency standards:

(1) Bottle-type water dispensers designed for dispensing both hot and cold water shall not have standby energy consumption greater than 1.2 kilowatt-hours per day, as measured in accordance with the test criteria contained in version 1.1 of the Environmental Protection Agency's "Energy Star Program Requirements for Bottled Water Coolers," except units with an integral, automatic timer shall not be tested using Section D, "Timer Usage," of the test criteria.

(2) Commercial hot food holding cabinets shall have a maximum idle energy rate not exceeding 40 watts per cubic foot of interior volume, as determined by the "idle energy rate-dry test" in ASTM F2140-01, "Standard Test Method for Performance of Hot Food Holding Cabinets" published by ASTM International. Interior volume shall be measured in accordance with the method shown in the Environmental Protection Agency's "Energy Star Program Requirements for Commercial Hot Food Holding Cabinets" as in effect on August 15, 2003.

(3) Metal halide lamp fixtures designed to be operated with lamps rated greater than or equal to 150 watts but less than or equal to 500 watts shall not contain a probe-start metal halide ballast.

(4)(A) State-regulated incandescent reflector lamps shall meet the minimum average lamp efficacy requirements for federally-regulated incandescent reflector lamps contained in section 325(i)(1)(A) of the Energy Policy and Conservation Act, approved December 22, 1975 (89 Stat. 923; 42 U.S.C. § 6295(i)(1)(A)).

(B) The following types of incandescent reflector lamps shall be exempt from these requirements:

(i) Lamps rated at 50 watts or less of the following types: BR30, ER30, BR40, and ER40;

(ii) Lamps rated at 65 watts of the following types: BR30, BR40, and ER40; and

(iii) R20 lamps of 45 watts or less.

(5)(A) Walk-in refrigerators or freezers shall:

(i) Have automatic door closers that firmly close all reach-in doors and that firmly close all walk-in doors that have been closed to within one inch of full closure; provided, that this requirement shall not apply to walk-in doors wider than 3 feet, 9 inches or higher than 6 feet, 11 inches;

ENROLLED ORIGINAL

(ii) Contain wall, ceiling, and door insulation of at least R-28 for refrigerators and at least R-32 for freezers; provided, that door insulation requirements shall not apply to glazed portions of doors or to structural members;

(iii) Contain floor insulation of at least R-28 for freezers;

(iv) For single-phase evaporator fan motors of under one horsepower and less than 460 volts, use electronically commutated motors; provided, that the Mayor may delay implementation of this sub-subparagraph upon a determination that the motors are only available from one manufacturer or in insufficient quantities to serve the needs of the walk-in industry for evaporator-fan applications;

(v) For condenser fan motors of under one horsepower, use either:

(I) Electronically commutated motors;

(II) Permanent split capacitor-type motors; or

(III) Polyphase motors of 1/2 horsepower or more; and

(vi) For all interior lights, use light sources with an efficacy of 40 lumens per watt or more, including ballast losses; provided, that light sources with an efficacy of 40 lumens per watt or less, including ballast losses (if any), may be used in conjunction with a timer or device that turns off the lights within 15 minutes after the enclosure ceases to be occupied.

(B) Walk-in refrigerators or freezers with transparent reach-in doors and walk-in door windows shall also meet the following specifications:

(i) Transparent reach-in doors and windows in walk-in doors for walk-in freezers shall be of triple-pane glass with either heat-reflective treated glass or gas fill.

(ii) Transparent reach-in doors and windows in walk-in doors for walk-in refrigerators shall be:

(I) Double-pane glass with heat-reflective treated glass and gas fill; or

(II) Triple-pane glass with either heat-reflective treated glass or gas fill.

(iii) For appliances with an anti-sweat heater:

(I) The appliances shall have a total door rail, glass, and frame heater power draw of no more than:

(aa) Seven and 1/10 watts per square foot of door opening for freezers; and

(bb) Three watts per square foot of door opening for refrigerators.

(II) If an appliance with an anti-sweat heater has anti-sweat heat controls, the controls shall reduce the energy use of the anti-sweat heater in an amount corresponding to the relative humidity in the air outside the door or to the condensation on the inner glass pane.

(c) On or after January 1, 2012, a new single-voltage external AC to DC power supply shall not be sold or offered for sale in the District of Columbia unless the efficiency of the new product meets or exceeds the following efficiency standards:

(1) Single-voltage external AC to DC power supplies shall meet the energy efficiency requirements in the following table:

ENROLLED ORIGINAL

Nameplate Output Power	Minimum Efficiency in Active Mode
From 0 to less than 1 watt	0.49 times the nameplate output
From 1 watt to not more than 49 watts	The sum of 0.09 times the natural logarithm of the nameplate output power (expressed in watts) and 0.49
Greater than 49 watts	0.84
	Maximum Energy Consumption in No-Load Mode
From 0 to less than 10 watts	0.5 watts
From 10 watts to not more than 250 watts	0.75 watts

(2) This standard shall apply to single-voltage AC to DC power supplies that are sold individually and to those that are sold as a component of or in conjunction with another product.

(3) Single-voltage external AC to DC power supplies that require Food and Drug Administration listing and approval as a medical device shall be exempt from the requirements of this section.

(4) Single-voltage external AC to DC power supplies made available by a manufacturer directly to a consumer or to a service or repair facility after and separate from the original sale of the product requiring the power supply as a service part or spare part shall not be required to meet the standards of this section until January 1, 2013.

(5) For the purposes of this section, the efficiency of single-voltage external AC to DC power supplies shall be measured in accordance with the test methodology specified by the Environmental Protection Agency's Energy Star Program, "Test Method for Calculating the Energy Efficiency of Single-Voltage External AC-DC and AC-AC Power Supplies (August 11, 2004)," except that tests shall be conducted at 115 volts only.

(6) One year after the sale or offering for sale of a new product becomes subject to the requirements of subsection (c) of this section, the product shall not be installed in the District of Columbia unless the efficiency of the new product meets or exceeds the efficiency standards set forth herein.

Sec. 5. New and revised standards.

The Mayor may adopt rules to establish increased efficiency standards for the products listed in section 3 or efficiency standards for products not specifically listed in section 3 if he or she determines that increased efficiency standards would serve to promote energy conservation in the District of Columbia; provided, that no new or increased efficiency standards shall become effective in less than one year following the adoption of the rule establishing the efficiency standard; provided further, that a substantially identical standard shall have been adopted by statute or regulation in Maryland or Virginia. The Mayor may apply for a waiver of federal preemption in accordance with federal procedures under section 325 of the Energy Policy and Conservation Act, approved December 22, 1975 (89 Stat. 923; 42 U.S.C. § 6295), for state efficiency standards for any product regulated by the federal government.

ENROLLED ORIGINAL

Sec. 6. Testing, certification, labeling, and enforcement.

(a) The manufacturers of products covered by this act shall test samples of their products. The tests shall be conducted in accordance with test procedures contained in section 4 or with test procedures adopted by California or Maryland if the test procedures were adopted to enforce energy efficiency standards substantially identical to those adopted by the District of Columbia. If test procedures are not provided for in section 4, the Mayor may adopt test procedures adopted by any other state, United States Department of Energy-approved test methods or, in the absence of such test methods, other appropriate nationally recognized test methods.

(b) Manufacturers of new products covered by section 4, except for single-voltage external AC to DC power supplies and walk-in refrigerators or freezers, shall certify that the products are in compliance with the provisions of this act. The certifications shall be based on test results. The Mayor may promulgate rules governing the certification of such products and may coordinate with the certification programs of other states and federal agencies with substantially identical standards.

(c) Manufacturers of new products covered by section 4 shall identify each product offered through retailers for sale or installation in the District of Columbia as in compliance with the provisions of this act, or with the energy efficiency standards enacted by another state or the federal government if the standards on which the compliance is based are substantially identical to the appropriate standards in the District of Columbia, by means of a mark, label, or tag on the product or packaging at the time of sale or installation. The Mayor shall allow the use of existing marks, labels, or tags that connote compliance with the efficiency requirements of this act. All display models of products covered by section 4 shall be displayed with a mark, label, or tag on the product indicating compliance with the efficiency requirements of this act. If a national efficiency standard is established by federal law or regulation for a product covered by section 4, the labeling requirements of this subsection shall not apply to the product.

(d) The Mayor may test products covered by section 4 following the implementation dates of the standards provided in section 4 for the specific product. If products so tested are found not to be in compliance with the minimum efficiency standards established under section 4, after notice and a hearing, the Mayor shall:

(1) Impose a penalty on the manufacturer of the product in an amount at least equal to the cost of product purchase and testing; and

(2) Make information available to the public on products found not to be in compliance with the standards.

(e) The Mayor may randomly and periodically inspect distributors or retailers of new products covered by this act to determine compliance. The Mayor may also undertake inspections prior to occupancy of newly constructed buildings containing new products that are also covered by the Construction Codes.

(f)(1) The Mayor may investigate potential violations of this act. If the Mayor finds, after notice and a hearing, that a manufacturer, distributor, or retailer of a product covered by this act, or a person who installs a product covered by this act, violates any provision of this act, the Mayor:

(A) For a first violation, shall issue a warning; and

(B) For a second or subsequent violation, may take one or more of the

following actions:

(i) Impose a penalty not to exceed:

(I) Two thousand five hundred dollars if the violator is, or

ENROLLED ORIGINAL

is an agent of, a manufacturer, distributor, or retailer of the product; or

(II) Five hundred dollars for any other violator;

(ii) Issue a cease and desist order; or

(iii) Request that the Attorney General for the District of

Columbia commence civil or criminal action to secure injunctive or other appropriate relief.

(2) Each violation shall constitute a separate offense. Each day that a violation continues shall constitute a separate offense.

(3) Penalties assessed under this subsection shall be in addition to the costs assessed under subsection (d) of this section.

(g) The Mayor may adopt such other rules as may be necessary or appropriate for the implementation and enforcement of this act.

Sec. 7. Electric company purchases of distribution transformers – Public Service Commission rule.

(a) For the purposes of this section, the term:

(1) “Electric company” shall have the same meaning as in section 8(1) of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 976; D.C. Official Code § 34-207).

(2) “Liquid-immersed distribution transformer” means a transformer that:

(A) Has an input voltage of 34,500 volts or less;

(B) Has an output voltage of 600 volts or less;

(C) Uses oil or other liquid as a coolant; and

(D) Is rated for operation at a frequency of 60 Hertz.

(3) “Transformer” means a device consisting of 2 or more coils of insulated wire and that is designed to transfer alternating current by electromagnetic induction from one coil to another to change the original voltage or current value.

(b) Within 365 days of the date that the United States Department of Energy issues a final rule on liquid-immersed distribution transformers, the Public Service Commission shall adopt a rule governing the purchase of liquid-immersed distribution transformers by the electric company. The rule shall ensure that, subject to availability, all such purchases occurring on or after January 1, 2009 are based on the life-cycle cost methodology contained in section 2 of Standard TP 1-2002 published by the National Electrical Manufacturers Association. The Public Service Commission may also consider additional inventory management costs as costs for inclusion within the life-cycle cost methodology to be used by an electric company for purposes of this section. Except as provided herein, the rule shall be consistent with regulations pertaining to liquid-immersed distribution transformers adopted by the United States Department of Energy.

Sec. 8. Section 8 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 974; D.C. Official Code § 34-101 *et seq.*), is amended by adding a new paragraph (56A) to read as follows:

“Par. 56A. The Commission shall adopt a rule in accordance with section 7 of the Energy Efficiency Standards Act of 2007, passed on 2nd reading on October 2, 2007 (Enrolled version of Bill 17-211).”.

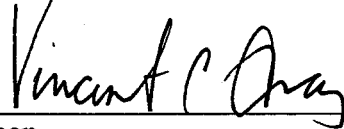
ENROLLED ORIGINAL

Sec. 9. Fiscal impact statement.

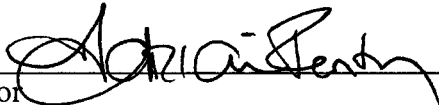
The Council adopts the July 10, 2007 fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 10. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
October 19, 2007

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-166IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
OCTOBER 19, 2007*Codification
District of
Columbia
Official Code*

2001 Edition

2008 Winter
Supp.West Group
Publisher

To amend, on an emergency basis, the Prevention of Child Abuse and Neglect Act of 1977 to require certain records to be made available to the Child and Family Services Agency as part of an investigation of suspected child abuse or neglect.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Child Abuse and Neglect Investigation Record Access Emergency Amendment Act of 2007".

Sec. 2. The Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.02 *et seq.*), is amended by adding a new section 106b to read as follows:

"Sec. 106b. Obtaining records.

"(a) Notwithstanding any other provisions of law, upon the Agency's request, a person who is required to report suspected incidents of child abuse or neglect under section 2 of An Act To provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children, approved November 5, 1966 (80 Stat. 1354; D.C. Official Code § 4-1321.02), shall immediately provide the Agency copies of all records of a child who is the subject of a report of child abuse or neglect, or of any other child residing in the home where the abuse or neglect is alleged to have occurred, that are in the possession of the person or the person's employees.

"(b) The Agency shall request the records needed for its investigation conducted under Title I.

"(c) The Agency shall not be charged a fee for the records provided to it under this section."

Sec. 3. Applicability.

This act shall apply as of October 17, 2007.

Sec. 4. Fiscal impact statement.

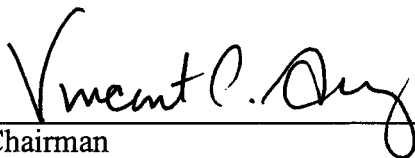
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

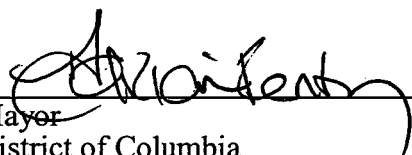
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than

ENROLLED ORIGINAL

90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED

October 19, 2007

COUNCIL OF THE DISTRICT OF COLUMBIA**OFFICE OF THE BUDGET DIRECTOR - COUNCIL FISCAL IMPACT STATEMENT**Legislative Number:Short Title: Child Abuse and Neglect Investigation Record Access Emergency/Temporary Act of 2007Type: ☐ Permanent ☒ Emergency/Temporary ☐ AmendmentVersion: ☐ Introduced ☐ Committee Print ☐ Engrossed ☒ Emergency
☐ Committee Print (Draft) ☐ Com. Print (Amended) ☐ Enrolled ☒ Temporary**FISCAL IMPACT SUMMARY**☒ Implementation of this legislation has no impact on spending or revenue.☐ Implementation of this legislation has the following costs within the budget and financial plan:

FY 2008	FY 2009	FY 2010	FY 2011	4-Year Total

(Dollars in Thousands)☐ Funds sufficient to implement this legislation are appropriated within the current budget and four-year financial plan.☐ This legislation will become effective subject to future funding being included within a budget and four-year financial plan.☐ Funds are not available to support the fiscal effect of this legislation. This legislation does not meet the requirements of Council Rule 443(c).**ANALYSIS OF IMPACT ON SPENDING**Agency/Department(s) that will be affected:☒ None ☐ This legislation will impact spending.**Office of the Budget Director Analysis:**

This legislation would extend the life of a previous temporary act that requires certain records be made available to the Child and Family Services Agency as part of an investigation of suspected child abuse or neglect.

Short Title: Child Abuse and Neglect Investigation Record Access Emergency/Temporary Act of 2007

ANALYSIS OF IMPACT ON REVENUE

☒ None ☐ This legislation will impact revenue.

Office of the Budget Director Analysis:

SOURCES OF INFORMATION

Committee on Human Services provided background information pertaining to this bill.

Requesting Councilmember(s): Councilmember Tommy Wells

Date of Request: 09/28/07

Council Budget Director's Signature:


Eric J. Goulet

10-1-07
Date Reported

Office of the Budget Director
Council of the District of Columbia
1350 Pennsylvania Avenue, NW
Suite 508
Washington, DC 20004-3003

Phone: (202) 724-8139

Fax: (202) 724-7819

Form Revised: March 19, 2007

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-167

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
OCTOBER 19, 2007

*Codification
District of
Columbia
Official Code*

2001 Edition

2008 Winter
Supp.

West Group
Publisher

To amend, on an emergency basis, the Prevention of Child Abuse and Neglect Act of 1977 to include limited grant-making authority among the duties and powers of the Director of the Child and Family Services Agency.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Child and Family Services Grant-making Emergency Amendment Act of 2007".

Sec. 2. Section 303(a-1) of the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1303.03(a-1)), is amended by adding a new paragraph (3A) to read as follows:

Note,
§ 4-1303.03

"(3A) To issue grants to community and neighborhood-based groups for programs that deliver prevention and intervention services;"

Sec. 3. Applicability.

This act shall apply as of October 13, 2007.

Sec. 4. Fiscal impact statement.

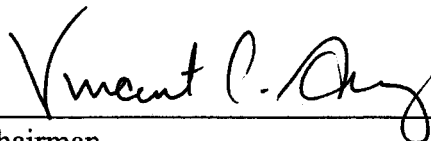
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

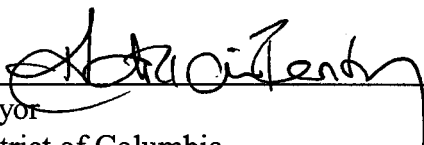
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
October 19, 2006

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-168

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 19, 2007Codification
District of
Columbia
Official Code

2001 Edition

2008 Winter
Supp.West Group
Publisher

To amend, on an emergency basis, the Community Access to Health Care Amendment Act of 2006 to authorize the Mayor to capitalize a public-private partnership in an amount not to exceed \$79 million; to amend the Health Services Planning Program Re-Establishment Act of 1996 to limit certificate of need application fees paid by Specialty Hospital of America, LLC, or certain of its subsidiary entities; to amend Title 47 of the District of Columbia Official Code to exempt from taxation the improvements currently located in square 5919, lots 3 and 4, and from the deed transfer tax, the transfer of square 5919, lots 3 and 4, to Specialty Hospital of Washington-GSE Holdings, LLC.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "East of the River Hospital Revitalization Emergency Amendment Act of 2007".

Sec. 2. Section 102 of the Community Access to Health Care Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-288; D.C. Official Code § 7-1932), is amended as follows:

Note,
§ 7-1932

(a) Subsection (b)(1) is amended by striking the phrase "*et seq.*;" and inserting the phrase "*et seq.*". Notwithstanding the preceding provisions of this paragraph, the Mayor may invest, subject to approval by the Council, up to \$79 million to capitalize a public-private partnership by non-competitive negotiations with Specialty Hospital of America, LLC, or certain of its subsidiary entities, to acquire, improve, and operate Greater Southeast Community Hospital;" in its place.

(b) Subsection (c)(3) is amended by striking the phrase "and the findings of the comprehensive assessment described in subsection (b)(7) of this section".

Sec. 3. Section 21 of the Health Services Planning Program Re-Establishment Act of 1996, effective April 19, 1997 (D.C. Law 11-191; D.C. Official Code § 44-420), is amended as follows:

Note,
§ 44-420

(a) Designate the existing text as subsection (a).

(b) A new subsection (b) is added to read as follows:

"(b) Notwithstanding the provisions of subsection (a) of this section, the maximum application fee that may be collected from Specialty Hospital of America, LLC, or certain of its subsidiary entities, for facilities located in square 5919, lots 3 and 4, related to the acquisition of

ENROLLED ORIGINAL

Greater Southeast Community Hospital shall be \$300,000.”.

Sec. 4. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-902 is amended by adding a new paragraph (24) to read as follows:

Note,
§ 47-902

“(24) Transfer of square 5919, lots 3 and 4, to Specialty Hospital of America, LLC, or certain of its subsidiary entities.”.

(b) Section 47-1002 is amended by adding a new paragraph (30) to read as follows:

Note,
§ 47-1002

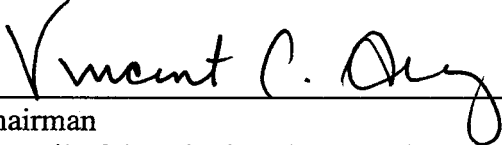
“(30) The improvements currently located in square 5919, lots 3 and 4. This exemption shall commence on the date Specialty Hospital of America, LLC, or certain of its subsidiary entities, takes title to square 5919, lots 3 and 4 and shall terminate on the date that Specialty Hospital of America, LLC, or certain of its subsidiary entities, transfers the title to square 5919, lots 3 and 4, to a third party. This exemption shall not apply to any improvements other than those currently in existence on square 5919, lots 3 and 4.”.

Sec. 5. Fiscal impact statement.

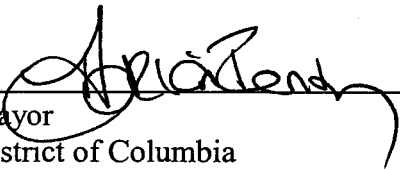
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-202.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
October 19, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-169

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 25, 2007*Codification
District of
Columbia
Official Code*

2001 Edition

2008 Winter
Supp.West Group
Publisher

To amend, on an emergency basis, the School Proximity Traffic Calming Act of 2000 to require the Mayor to investigate appropriate traffic calming measures and institute increased speeding penalties for motorists around school zones, recreation centers, libraries, and public parks, and to require the Mayor to submit, within 60 days, a report to the Council reporting the findings of the investigation and the type of traffic control devices that should be installed.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "School Proximity Traffic Calming Emergency Amendment Act of 2007".

Sec. 2. The School Proximity Traffic Calming Act of 2000, effective May 23, 2000 (D.C. Law 13-111; D.C. Official Code § 38-3101), is amended as follows:

*Note,
§ 38-3101*

(a) Subsection (a) is amended by striking the phrase "school zones" and inserting the phrase "school zones and streets directly bordering recreation centers, libraries, and public parks" in its place.

(b) Subsection (b) is amended by striking the phrase "school zone" and inserting the phrase "school zone or on streets directly bordering recreation centers, libraries, and public parks" in its place.

(c) Subsection (c)(1) is amended by striking the phrase "school zones" and inserting the phrase "schools zones and on streets directly bordering recreation centers, libraries, and public parks" in its place.

(d) Subsection (e) is amended as follows:

(1) Paragraph (1) is amended as follows:

(A) Strike the phrase "School zones" and insert the phrase "School zones and streets directly bordering recreation centers, libraries, and public parks" in its place.

(B) Strike the phrase "school zones" and insert the phrase "school zones and streets directly bordering recreation centers, libraries, and public parks" in its place.

(2) Paragraph (2) is amended to read as follows:

ENROLLED ORIGINAL

"(2) The Mayor shall place the traffic control device, deemed necessary under subsection (a) of this section, on every street within 100 yards of a:

"(A) School building within a school zone;

"(B) Recreation center;

"(C) Library; or

"(D) Public park."

(e) Subsection (h) is amended by striking the phrase "school zone" and inserting the phrase "school zone or on streets directly bordering recreation centers, libraries, and public parks" in its place.

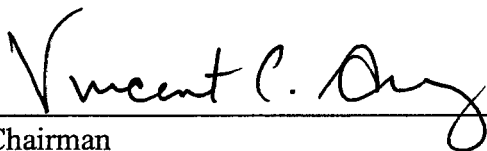
(f) Subsection (i) is amended by striking the phrase "school zones within 60 days from the effective date of this act" and inserting the phrase "school zones, recreation centers, libraries, and public parks within 60 days from October 15, 2007" in its place

Sec. 3. Fiscal impact statement.

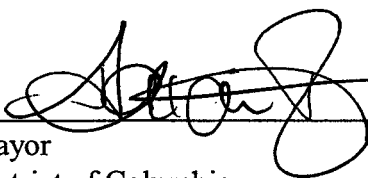
The Council adopts the fiscal impact statement of the Office of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED

October 25, 2007
Codification District of Columbia Official Code, 2001 Edition

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-170IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
OCTOBER 26, 2007*Codification
District of
Columbia
Official Code*

2001 Edition

2008 Winter
Supp.West Group
Publisher

To amend, on an emergency basis, the Youth Employment Act of 1979 to ensure that participants in the in-school program are working at least 10 hours per week, to clarify that the in-school and out-of-school, year-round employment programs are not to be limited to students considered at risk of dropping out of school or economically disadvantaged, and to authorize the Mayor to fund this measure through the \$3.5 million in available funds previously allocated for job training in the Fiscal Year 2008 Budget Support Act of 2007.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Access to Youth Employment Programs Emergency Amendment Act of 2007".

Sec. 2. Section 2(a) of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241(a)), is amended as follows:

*Note,
§ 32-241*

(a) Paragraph (2) is amended as follows:

(1) Strike the word "basis" and insert the phrase "basis, with a minimum of 10 hours per week," in its place.

(2) Strike the word "disadvantaged" and insert the phrase "disadvantaged, but those students not falling within the aforementioned category shall still be given consideration" in its place.

(b) Paragraph (3) is amended by striking the word "residents" and inserting the phrase "residents, but those students not falling within the aforementioned category shall still be given consideration" in its place.

Sec. 3. Funding.

The Mayor may fund the costs associated with the amendments made by section 2 using the \$3.5 million in available funds previously allocated for job training in the Fiscal Year 2008 Budget Support Act of 2007, effective September 18, 2007 (D.C. Law 17-20; 54 DCR 7052). The Mayor may not use more than 10% of these funds for administrative costs for the program. The Mayor may not use more than 10% of these funds to cover vendor costs.

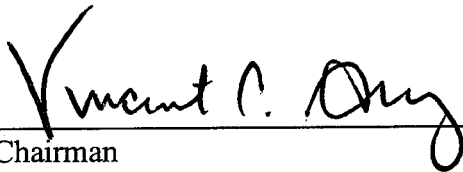
ENROLLED ORIGINAL

Sec. 4. Fiscal impact statement.

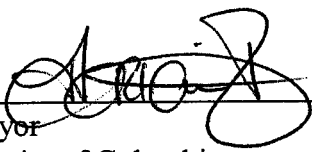
The Council adopts the fiscal impact statement from the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
October 26, 2007

COUNCIL OF THE DISTRICT OF COLUMBIA

OFFICE OF THE BUDGET DIRECTOR - COUNCIL FISCAL IMPACT STATEMENT

Legislative Number:

Short Title: Access to Youth Employment Programs Emergency/Temporary Act of 2007

Type: ☐ Permanent ☒ Emergency/Temporary ☐ Amendment

Version: ☐ Introduced ☐ Committee Print ☐ Engrossed ☒ Emergency

☐ Committee Print (Draft) ☐ Com. Print (Amended) ☐ Enrolled ☒ Temporary

FISCAL IMPACT SUMMARY

- ☐ Implementation of this legislation has no impact on spending or revenue.
- ☒ Implementation of this legislation has the following costs within the budget and financial plan:

FY 2008	FY 2009	FY 2010	FY 2011	4-Year Total
3,500	3,500	3,500	3,500	14,000

(Dollars in Thousands)

- ☒ Funds sufficient to implement this legislation are appropriated within the current budget and four-year financial plan.
- ☐ This legislation will become effective subject to future funding being included within a budget and four-year financial plan.
- ☐ Funds are not available to support the fiscal effect of this legislation. This legislation does not meet the requirements of Council Rule 443(c).

ANALYSIS OF IMPACT ON SPENDING

Agency/Department(s) that will be affected: Department of Employment Services

- ☒ None ☐ This legislation will impact spending.

Office of the Budget Director Analysis:

This legislation expands in-school and out-of-school year-round employment programs for youth. The legislation authorizes the Mayor to use \$3.5 million in recurring funds that the Council had set aside in the FY2008 budget of the Department of Employment Services for job training to fund the fiscal effect of the program expansion. The Office of the Budget Director confirmed with the Office of the Chief Financial Officer that the \$3.5 million had not already been obligated for another purpose by the Executive.

Short Title: Access to Youth Employment Programs Emergency/Temporary Act of 2007

ANALYSIS OF IMPACT ON REVENUE

☒ None ☐ This legislation will impact revenue.

Office of the Budget Director Analysis:


SOURCES OF INFORMATION

Office of the Chief Financial Officer

Requesting Councilmember(s): Marion Barry

Date of Request: 9/28/07

Council Budget Director's Signature:


Eric J. Goulet

10-1-07
Date Reported

Office of the Budget Director
Council of the District of Columbia
1350 Pennsylvania Avenue, NW
Suite 508
Washington, DC 20004-3003

Phone: (202) 724-8139

Fax: (202) 724-7819

Form Revised: March 19, 2007

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-171

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 26, 2007*Codification
District of
Columbia
Official Code*

2001 Edition

2008 Winter
Supp.West Group
Publisher

To establish the Housing Support for Teachers Program and the Housing Support for Teachers Fund to provide housing assistance for selected teachers certified in the critical shortage fields of mathematics, science, and special education in return for a 5-year commitment to teach in the critical shortage fields in a District of Columbia public or charter school.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Housing Support for Teachers Act of 2007".

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Critical shortage fields" means the teaching subject areas of mathematics, sciences, and special education.

(2) "Fund" means the Housing Support for Teachers Fund, established by section 7.

(3) "OSSE" means the Office of the State Superintendent of Education, established by section 2 of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601).

(4) "Participant" means a person who has applied to the Program and who has met the eligibility requirements set forth in this act and who has been selected by the Superintendent to participate in the Program.

(5) "Program" means the Housing Support for Teachers Program, established by section 3.

(6) "Relocation expenses" means expenses incurred by applicants in moving to the District to participate in the Program that are limited to moving costs associated with hiring professional movers, storage fees, and transportation costs, but not including hotel stays.

(7) "Superintendent" means the State Superintendent of Education.

Sec. 3. Establishment of the Housing Support for Teachers Program.

(a) There is established within the OSSE the Housing Support for Teachers Program. The purpose of the Program is to provide housing-related financial assistance to District of

ENROLLED ORIGINAL

Columbia teachers certified to teach within the critical shortage fields within the District.

(b) The Program shall provide the following support to Participants:

(1) A one-time grant of up to \$5,000 awarded to Participants who are District residents at the time of application, or non-residents who will become residents of the District by the time their employment begins, which may be used for the following purposes:

(A) Relocation expenses;
(B) Downpayment or closing costs on the purchase of a home;
(C) Initial fees associated with rentals (including broker fees, security deposits, and first-month's rent); and

(D) Mortgage or rental payments;

(2) An additional one-time grant of up to \$5,000 for Participants who can establish proof of District residency for the last 5 years at the time of application, to be used for the following purposes:

(A) Downpayment or closing costs on the purchase of a home;
(B) Initial fees associated with rentals (such as broker fees and security deposits); and

(C) Mortgage or rental payments; and

(3) A monthly housing stipend of \$400 per month to be dispersed to every Participant during the first 2 years of the 5-year commitment period.

(c) Awards made through the Program shall be limited to 100 new Participants per fiscal year.

Sec. 4. Eligibility to participate in the Program.

(a) A person may apply to the Program if the person meets the following criteria:

(1) Is a licensed District of Columbia public school or public charter school teacher or currently holds a teaching license from another state and qualifies for reciprocity for a District of Columbia teaching license through the OSSE;

(2) Possesses 2 or more accumulated years of full-time teaching experience, either in their previous careers or currently; and

(3) Is currently teaching or has applied and received an offer for a teaching position in a District of Columbia public school or public charter school in one of the critical shortage fields.

(b) The Superintendent may reduce to one year the number of years needed to meet the requirements of subsection (a)(2) of this section if the Superintendent determines that exceptional circumstance warrant the reduction.

Sec. 5. Commitment period, service agreement, and penalties.

(a) In exchange for the housing assistance provided by this act, a Participant shall be required to enter into a service agreement that requires the Participant to commit to teach in a District of Columbia public school or public charter school in one of the critical shortage fields

ENROLLED ORIGINAL

and maintain residency in the District for a minimum of 5 years. All of the Program requirements shall be detailed in the service agreement entered into between the Participant and the OSSE.

(b) The OSSE shall monitor each Participant's performance for compliance with the service agreement.

(c) Participants whose circumstances change during the 5-year service commitment period may apply to the Superintendent for a release from the 5-year service commitment because of a medical or other severe hardship.

(d) A Participant who fails to satisfy the terms of the service agreement and is not released from the 5-year service commitment period by the Superintendent shall repay all monies received under the Program.

Sec. 6. Selection of Program Participants.

(a) The Superintendent shall select Participants from the pool of persons eligible under section 4 based on the following criteria:

- (1) Demonstrated ability to improve student achievement in their subject area;
- (2) Possession of strong instructional knowledge and content expertise;
- (3) Commitment to supporting the academic achievement of all students;
- (4) Commitment to continuous self-learning and improvement of instructional practice; and
- (5) Possession of strong communication skills.

(b) The Superintendent shall thoroughly investigate all references provided by the Participant and validate that the Participant has met the eligibility requirements of section 4.

(c) The Superintendent shall verify that the Participant is certified in the critical shortage field for which the Participant has declared and that the Participant is teaching or will teach in a subject area that requires that expertise.

Sec. 7. Housing Support for Teachers Fund.

(a) There is established as a nonlapsing fund the Housing Support for Teachers Fund. The Chief Financial Officer shall pay into the Fund all receipts from those fees and taxes specifically identified by any provision of District of Columbia law to be paid into the Fund, any federal grant, any other federal funds that may be used for the purposes of the Fund, and all funds required to be repaid by Participants pursuant to section 5(d).

(b) The Fund shall be used to pay the costs of the financial support provided by the Program as enumerated by section 3(b) and to cover any administrative costs associated with the Program.

(c) All funds deposited into the Fund, and any interest earned thereon, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (b) of this section without regard to fiscal year limitation, subject to

ENROLLED ORIGINAL

authorization by Congress.

Sec. 8. Responsibilities of the OSSE.

The OSSE shall be responsible for the following:

- (1) Administering the grants and monthly stipends to all Participants;
- (2) Collecting all repayments to the Fund by Participants pursuant to section 5(d);
- (3) Periodically reviewing Fund revenue sources to determine what additional revenue sources may be required to assure the continuation of the Fund and the Program and requesting Council action to access revenue sources otherwise unavailable to the Fund;
- (4) Filing with the Chairperson of the Council Committee on Housing and Urban Affairs semiannual reports on activities and expenditures;
- (5) Providing additional homeownership assistance to Participants, including homeownership counseling and assistance in accessing financial resources from sources outside of the Program; and
- (6) Providing general information and technical assistance regarding affordable rental housing within the District.

Sec. 9. Rules.

(a) The Mayor, pursuant to Title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code 2-502 *et seq.*), shall issue rules within 90 days after the effective date of this act to implement the provisions of this act.

(b) The rules shall include the following:

- (1) An application procedure for the Program;
- (2) Standards for eligibility and selection of Participants that shall include the criteria described in sections 4, 5, and 6;
- (3) The provisions of the service agreements, which include the terms described in section 5.

(c) The proposed rules shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within the 45-day review period, the proposed rules shall be deemed approved.

Sec. 10. Availability of funds.

This act shall be subject to the availability of funds in a Congressional appropriations act.

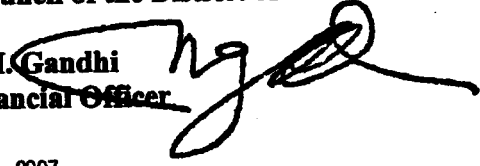
Government of the District of Columbia
Office of the Chief Financial Officer



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Vincent C. Gray
Chair, Council of the District of Columbia

FROM: Natwar M. Gandhi 
Chief Financial Officer

DATE: OCT -2 2007

SUBJECT: Fiscal Impact Statement: "Housing Support for Teachers Act of 2007"

REFERENCE: Bill Number 17-095, Amendment in the Nature of a Substitute

Conclusion

Funds are not sufficient in the proposed FY 2008 through FY 2011 budget and financial plan to implement the provisions of the proposed legislation. The proposed legislation is subject to the availability of funds.

Background

The proposed legislation would establish the District of Columbia Housing Support for Teachers Program ("Program") within the D.C. Office of the State Superintendent of Education ("OSSE") and would establish the Housing Support for Teachers Fund ("Fund"). The Program and the Fund, which would be a segregated, non-lapsing special revenue fund within the District's General Fund, would assist qualified District teachers with housing-related expenses in the District in exchange for a commitment to remain as a District teacher for 5 years. Specifically, to be eligible to apply to the Program, a person must:

- Be a licensed District public school or public charter school teacher;
- Possess two or more years of full-time teaching experience; and
- Be currently teaching or have an offer to teach in a critical shortage field, which includes mathematics, sciences, and special education.

The Honorable Vincent C. Gray

Fiscal Impact Statement: B17-095, "Housing Support for Teachers Act of 2007"

Page 2 of 2

Successful applicants to the Program would be required to teach in a critical shortage field and maintain residency in the District for a minimum of 5 years in exchange for the following support:

- A one-time grant of up to \$5,000 for relocation and housing-related expenses for applicants who are District residents at the time of application or for non-residents who will reside in the District at the start of their employment;
- An additional one-time grant of up to \$5,000 for teachers who establish proof of District residency for the previous 5 years; and
- A monthly housing stipend of \$400 per month to all selected participants during the first two years of the commitment period.

Financial Plan Impact

The proposed legislation would be subject to the availability of funding from future appropriations. Program awards would be limited to 100 new participants per fiscal year.

If the Program were implemented and the maximum number of new participants received the maximum award in each of the fiscal years from FY 2008 through FY 2011, the Program would cost approximately \$1.5 million in the first year and \$7.4 million over the four-year budget and financial plan period.¹ In addition, any costs incurred by the OSSE to administer and monitor the Program and the Fund would have to be budgeted at the time of Program implementation.

Table 1. Potential Impacts to the Financial Plan of the Housing Support for Teachers Act of 2007 (\$ in millions)					
Item	FY 2008	FY 2009	FY 2010	FY 2011	4-Year Total
Expenditure – Maximum Award Amount	\$1.48	\$1.96	\$1.96	\$1.96	\$7.36

Note: Estimates in Table 1 do not include Program administration costs.

¹ These figures are derived from the assumption that the maximum number of teachers (100) will participate in the Program each year and will be eligible for each of the one-time \$5,000 grants in addition to the monthly housing stipend of \$400 per month for 24 months. It is unlikely that the mix of Program participants would generate the maximum fiscal impact shown here, but this calculation is intended to demonstrate the costs under the highest-cost scenario.

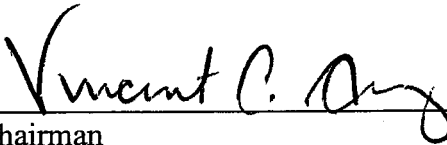
ENROLLED ORIGINAL

Sec. 11. Fiscal impact statement.

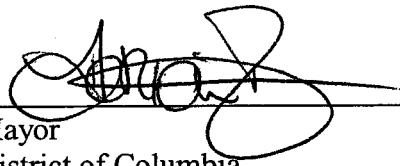
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 12. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
October 26, 2007

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-172IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
OCTOBER 26, 2007*Codification
District of
Columbia
Official Code*

2001 Edition

2008 Winter
Supp.West Group
Publisher

To require that all agencies and instrumentalities use a 100-point scale for evaluating potential employees and give qualified District resident applicants a 10-point preference over qualified non-District resident applicants; to require that all agency and instrumentality heads be District residents; and to amend the District of Columbia Statehood Delegation Fund Commission Establishment and Tax Check-Off Amendment Act of 2004, the Confirmation Act of 1978, the District of Columbia Government Comprehensive Merit Personnel Act of 1978, the District of Columbia Retirement Reform Act, the District of Columbia Election Act, the Law to Legalize Lotteries, Daily Numbers Games and Bingo and Raffles for Charitable Purposes in the District of Columbia, the Omnibus Sports Consolidation Act of 1994, the District of Columbia Housing Authority Act of 1999, the Office of Zoning Independence Act of 1990, the Washington Convention Center Authority Act of 1994, the Fiscal Year 2002 Budget Support Act of 2001, An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen and for other purposes, the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, the District of Columbia School Reform Act of 1996, the District of Columbia Housing Finance Agency Act, and the Public Parking Authority Establishment Act of 1994 to make conforming amendments.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Jobs for D.C. Residents Amendment Act of 2007".

TITLE I. DISTRICT RESIDENCY PREFERENCES AND REQUIREMENT.

Sec. 101. District residency preference for employees; District residency requirement for agency heads.

(a) Notwithstanding any other provision of law, all District subordinate agencies, independent agencies, and instrumentalities shall use a ranking system based on a scale of 100 points for all employment decisions for positions equivalent to Career Service, educational employee, Legal Service, and Management Supervisory Service positions, as defined under section 301(3), (6), (13A), and (13B) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code §

ENROLLED ORIGINAL

2-139; D.C. Official Code § 1-603.01(3), (6), (13A), and (13B)), and shall award each District resident applicant a preference of 10 points unless the resident declines the preference points. The 10 preference points shall be in addition to any points awarded on the 100-point scale.

(b) An applicant claiming a hiring preference shall submit no less than 8 proofs of bona fide residency in a manner determined by the Mayor. If hired, the employee shall agree in writing to maintain bona fide District residency for a period of 7 consecutive years from the effective date of hire and shall provide proof of such residency annually to the director of personnel for the agency or instrumentality for the first 7 years of employment. Failure to maintain District residency for the consecutive 7-year period shall result in forfeiture of employment.

(c)(1) Each subordinate agency head shall submit to the Mayor and the Council quarterly reports detailing the names of all new employees and their pay schedules, titles, and place of residence. The report shall explain the reasons for employment of non-District residents. The Mayor shall integrate into each subordinate agency's annual performance objectives the rate of success in hiring District residents.

(2) Each independent agency and instrumentality shall submit to the Mayor and the Council annual reports detailing the names of all new employees and their pay schedules, titles, and place of residence. The reports shall explain the reasons for employment of non-District residents.

(d) The Mayor shall conduct annual audits of each subordinate agency's personnel records to ensure that all persons claiming a residency preference at time of hiring complies with the provisions of subsection (b) of this section. Audit reports shall be submitted annually to the Council.

(e) Each subordinate agency, independent agency, and instrumentality head shall be a resident of the District of Columbia throughout his or her tenure and shall forfeit his or her position if he or she fails to remain a resident of the District of Columbia.

(f) The Mayor may issue rules to implement the provisions of this title.

TITLE II. CONFORMING AMENDMENTS

Sec. 201. Section 15 of the District of Columbia Statehood Delegation Fund Commission Establishment and Tax Check-Off Amendment Act of 2004, effective March 16, 2005 (D.C. Law 15-226; D.C. Official Code § 1-129.05), is amended as follows:

Amend
§ 1-129.05

(a) Subsection (a) is amended by striking the phrase "Commission." and inserting the phrase "Commission; provided, that the Executive Director of the Commission shall be a District resident and shall remain a District resident for the duration of his or her employment by the Commission. Failure to maintain District residency shall result in a forfeiture of the position." in its place.

(b) A new subsection (a-1) is added to read as follows:

"(a-1) Notwithstanding the provisions of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), each qualified District resident applicant shall receive an additional 10-point preference over a qualified non-

ENROLLED ORIGINAL

District resident applicant for all positions within the Commission unless the applicant declines the preference. This 10-point preference shall be in addition to, and not instead of, qualifications established for the position. All persons hired after the effective date of the Jobs for D.C. Residents Amendment Act of 2007, passed on 2nd reading on October 2, 2007 (Enrolled version of Bill 17-185), shall submit proof of residency upon employment in a manner determined by the Commission. An applicant claiming the hiring preference under this section shall agree in writing to maintain bona fide District residency for a period of 7 consecutive years from the effective date of hire and shall provide proof of bona fide residency annually to the director of personnel of the Commission for the first 7 years of employment. Failure to maintain District residency for the consecutive 7-year period shall result in forfeiture of employment.”.

(c) Subsection (b) is amended by striking the phrase “Commission.” and inserting the phrase “Commission, a listing of the names of all new employees, their pay schedules, titles, and place of residence.” in its place.

Sec. 202. Section 2(a)(2) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)(2)), is amended by striking the phrase “section.” and inserting the phrase “section, or the provisions of section 1059(a) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-610.59(a)).” in its place.

Amend
§ 1-523.01

Sec. 203. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) Section 203 (D.C. Official Code § 1-602.03) is amended by adding a new subsection (c) to read as follows:

Amend
§ 1-602.03

“(c) Notwithstanding the provisions of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), each qualified District resident applicant shall receive an additional 10-point preference over a qualified non-District resident applicant to fill all positions as non-educational employees of the District of Columbia Board of Education and Board of Trustees of the University of the District of Columbia unless the applicant declines the preference. This 10-point preference shall be in addition to, and not instead of, qualifications established for the position. All persons hired after the effective date of the Jobs for D.C. Residents Amendment Act of 2007, passed on 2nd reading on October 2, 2007 (Enrolled version of Bill 17-185), shall submit proof of residency upon employment in a manner determined by the respective Boards. An applicant claiming the hiring preference under this section shall agree in writing to maintain bona fide District residency for a period of 7 consecutive years from the effective date of hire and shall provide proof of residency annually to the Director of Personnel for the first 7 years of employment. Failure to maintain District residency for the consecutive 7-year period shall result in forfeiture of employment. The District of Columbia Board of Education and Board of Trustees of the

ENROLLED ORIGINAL

University of the District of Columbia shall submit to the Mayor and Council annual reports detailing the names of all new employees and their pay schedules, titles, and place of residence.”.

(b) Section 501(k) (D.C. Official Code § 1-605.01(k)) is amended by adding 2 new sentences at the end to read as follows:

Amend
§ 1-605.01

“The Executive Director shall be a resident of the District and shall remain a District resident for the duration of his or her employment by the Board. Failure to maintain District residency shall result in a forfeiture of the position.”.

(c) Section 601 (D.C. Official Code § 1-606.01) is amended as follows:

Amend
§ 1-606.01

(1) Subsection (g)(1)(A) is amended to read as follows:

“(A)(i) An Executive Director;

“(ii) The Executive Director shall be a District resident throughout his or her term and failure to maintain District residency shall result in a forfeiture of the position;”.

(2) A new subsection (l) to read as follows:

“(l) Notwithstanding the provisions of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), each qualified District resident applicant shall receive an additional 10-point preference over a qualified non-District resident applicant for all positions within the Office unless the applicant declines the preference. This 10-point preference shall be in addition to, and not instead of, qualifications established for the position. All persons hired after the effective date of the Jobs for D.C. Residents Amendment Act of 2007, passed on 2nd reading on October 2, 2007 (Enrolled version of Bill 17-185), shall submit proof of residency upon employment in a manner determined by the Office. An applicant claiming the hiring preference under this section shall agree in writing to maintain bona fide District residency for a period of 7 consecutive years from the effective date of hire and shall provide proof of residency annually to the Director of Personnel for the first 7 years of employment. Failure to maintain District residency for the consecutive 7-year period shall result in forfeiture of employment. The Office of Employee Appeals shall submit to the Mayor and Council annual reports detailing the names of all new employees and their pay schedules, titles, and place of residence.”.

(d) Section 801 (D.C. Official Code § 1-608.01) is amended as follows:

Amend
§ 1-608.01

(1) Subsection (e) is amended as follows:

(A) Paragraphs (1) and (2) are amended to read as follows:

“(e)(1) Notwithstanding any provision of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), an applicant for District government employment in the Career Service who is a bona fide resident of the District at the time of application shall be given a 10-point hiring preference over a nonresident applicant unless the applicant declines the preference. This preference shall be in addition to, and not instead of, qualifications established for the position

“(2) An applicant claiming a hiring preference shall submit 8 proofs of bona fide residency in a manner determined by the Mayor. If hired, the employee shall agree in

ENROLLED ORIGINAL

writing to maintain bona fide District residency for a period of 7 consecutive years from the effective date of hire and shall provide proof of bona fide residency annually to the director of personnel for the agency or instrumentality for the first 7 years of employment. Failure to maintain District residency for the consecutive 7-year period shall result in forfeiture of employment.”.

(B) Paragraph (7)(B) is amended by striking the phrase “5 consecutive years” and inserting the phrase “7 consecutive years” in its place.

(2) A new subsection (g) is added to read as follows:

“(g) Each subordinate agency head shall submit to the Mayor and the Council quarterly reports detailing the names of all new employees and their pay schedules, titles, and place of residence. The report shall explain the reasons for employment of non-District residents. The Mayor shall integrate into each subordinate agency’s yearly performance objectives the rate of success in hiring District residents. The Mayor shall conduct annual audits of each subordinate agency’s personnel records to ensure that all persons claiming a residency preference at time of hiring complies with the provisions of subsection (e)(2) of this section. Audit reports shall be submitted annually to the Council.”.

(e) Section 801A (D.C. Official Code § 1-608.01a) is amended as follows:

Amend
§ 1-608.01a

(1) Subsection (d) is amended as follows:

(A) Paragraphs (1) and (2) are amended to read as follows:

“(d)(1) Notwithstanding any provision of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), an applicant for District government employment in the Educational Service who is a bona fide resident of the District at the time of application shall be given a 10-point hiring preference over a nonresident applicant unless the applicant declines the preference. This preference shall be in addition to, and not instead of, qualifications established for the position.

“(2) An applicant claiming a hiring preference shall submit 8 proofs of bona fide residency in a manner determined by the Boards. If hired, the employee shall agree in writing to maintain bona fide District residency for a period of 7 consecutive years from the effective date of hire and shall provide proof of bona fide residency annually to the director of personnel for the agency for the first 7 years of employment. Failure to maintain District residency for the consecutive 7-year period shall result in forfeiture of employment.”.

(B) Paragraph (7)(B) is amended by striking the phrase “5 consecutive years” and inserting the phrase “7 consecutive years” in its place.

(2) A new subsection (f) is added to read as follows:

“(f) Each Board shall submit to the Council quarterly reports detailing the names of all new employees, their pay schedules, titles, and place of residence. The report shall explain the reasons for employment of non-District residents. The Board shall integrate into its yearly performance objectives the rate of success in hiring District residents. The Boards shall conduct annual audits of its personnel records to ensure that all persons claiming a residency preference at time of hiring complies with the provisions of subsection (d)(2) of this section. Audit reports shall be submitted annually to the Council.”.

ENROLLED ORIGINAL

(f) Section 1059(b) (D.C. Official Code § 1-610.59 (b)) is repealed.

Amend
§ 1-610.59

Sec. 204. Section 121(g)(2) of the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 866; D.C. Official Code § 1-711(g)(2)), is amended as follows:

Amend
§ 1-711

(a) The existing text is re-designated as subparagraph (A).

(b) New subparagraphs (B) and (C) are added to read as follows:

“(B) Notwithstanding the provisions of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), each qualified District resident applicant for a staff position shall receive an additional 10-point preference over a qualified non-District resident applicant for all positions within the Board unless the applicant declines the preference. This 10-point preference shall be in addition to, and not instead of, qualifications established for the position. All persons hired after the effective date of the Jobs for D.C. Residents Amendment Act of 2007, passed on 2nd reading on October 2, 2007 (Enrolled version of Bill 17-185), shall submit proof of residency upon employment in a manner determined by the Board. An applicant claiming the hiring preference under this section shall agree in writing to maintain bona fide District residency for a period of 7 consecutive years from the effective date of hire and shall provide proof of residency annually to the Director of Personnel for the first 7 years of employment. Failure to maintain District residency for the consecutive 7-year period shall result in forfeiture of employment. The Board shall submit to the Mayor and Council annual reports detailing the names of all new employees and their pay schedules, titles, and place of residence.

“(C) The Executive Director, who shall be appointed to manage the day-to-day operations of the Board, shall be a District resident throughout his or her term and failure to maintain District residency shall result in a forfeiture of the position.”

Sec. 205. Section 5(e)(1) of the District of Columbia Election Act, approved August 12, 1955 (69 Stat. 700; D.C. Official Code § 1-1001.05(e)(1)), is amended as follows:

Amend
§ 1-1001.05

(a) The existing text is designated subparagraph (A).

(b) New subparagraphs (B) and (C) are added to read as follows:

“(B) The Executive Director shall be a District resident throughout his or her term and failure to maintain District residency shall result in a forfeiture of the position.

“(C) Notwithstanding the provisions of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), each qualified District resident applicant shall receive an additional 10-point preference over a qualified non-District resident applicant for all positions within the Board unless the applicant declines the preference. This 10-point preference shall be in addition to, and not instead of, qualifications established for the position. All persons hired after the effective date of the Jobs for D.C. Residents Amendment Act of 2007, passed on 2nd reading on October 2, 2007 (Enrolled version of Bill 17-185), shall submit proof of residency upon employment in a manner determined by the Board. An applicant claiming the hiring preference under this

ENROLLED ORIGINAL

section shall agree in writing to maintain bona fide District residency for a period of 7 consecutive years from the effective date of hire and shall provide proof of bona fide residency annually to the director of personnel of the Board for the first 7 years of employment. Failure to maintain District residency for the consecutive 7-year period shall result in forfeiture of employment. The Board shall submit to the Mayor and Council annual reports detailing the names of all new employees, their pay schedules, titles, and place of residence.”.

Sec. 206. Section 2-2503 of section 4 of the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; D.C. Official Code § 3-1303), is amended as follows:

Amend
§ 3-1303

(a) Subsection (a) is amended by adding 2 new sentences at the end to read as follows:

“The Executive Director shall be a resident of the District and shall remain a District resident for the duration of his or her employment by the Board. Failure to maintain District residency shall result in a forfeiture of the position.”.

(b) Subsection (d) is amended as follows:

(1) Paragraph (3) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(2) Paragraph (4) is amended by striking the period and inserting the phrase “; and” in its place.

(3) A new paragraph (5) is added to read as follows:

“(5)(A) Notwithstanding the provisions of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), each qualified District resident applicant shall receive an additional 10-point preference over a qualified non-District resident applicant for all positions within the Authority unless the applicant declines the preference. This 10-point preference shall be in addition to, and not instead of, qualifications established for the position. All persons hired after the effective date of the Jobs for D.C. Residents Amendment Act of 2007, passed on 2nd reading on October 2, 2007 (Enrolled version of Bill 17-185), shall submit proof of residency upon employment in a manner determined by the Board. An applicant claiming the hiring preference under this section shall agree in writing to maintain bona fide District residency for a period of 7 consecutive years from the effective date of hire and shall provide proof of such residency annually to the director of personnel of the Authority for the first 7 years of employment. Failure to maintain District residency for the consecutive 7-year period shall result in forfeiture of employment.

“(B) The Board shall submit to the Mayor and the Council annual reports detailing the names of all new employees and their pay schedules, titles, and place of residence.”.

ENROLLED ORIGINAL

Sec. 207. The Omnibus Sports Consolidation Act of 1994, effective August 23, 1994 (D.C. Law 10-152; D.C. Official Code § 3-1401 *et seq.*), is amended as follows:

(a) Section 6(a) (D.C. Official Code § 3-1405(a)) is amended by adding a new sentence at the end to read as follows:

Amend
§ 3-1405

“The Executive Director shall be a District resident throughout his or her term and failure to maintain District residency shall result in a forfeiture of the position.”

(b) Section 18 (D.C. Official Code § 3-1417) is amended by adding 5 new sentences at the end to read as follows:

Amend
§ 3-1417

“Notwithstanding the provisions of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), each qualified District resident applicant shall receive an additional 10-point preference over a qualified non-District resident applicant for all positions within the Commission unless the applicant declines the preference. This 10-point preference shall be in addition to, and not instead of, qualifications established for the position. All persons hired after the effective date of the Jobs for D.C. Residents Amendment Act of 2007, passed on 2nd reading on October 2, 2007 (Enrolled version of Bill 17-185), shall submit proof of residency upon employment in a manner determined by the Board of Directors. An applicant claiming the hiring preference under this section shall agree in writing to maintain bona fide District residency for a period of 7 consecutive years from the effective date of hire and shall provide proof of such residency annually to the director of personnel for the first 7 years of employment. Failure to maintain District residency for the consecutive 7-year period shall result in forfeiture of employment.”

(c) Section 20 (D.C. Official Code § 3-1419) is amended by adding a new sentence at the end to read as follows:

Amend
§ 3-1419

“The Commission shall also submit to the Mayor and Council annual reports detailing the names of all new employees and their pay schedules, titles, and place of residence.”

Sec. 208. The District of Columbia Housing Authority Act of 1999, effective March 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-201 *et seq.*), is amended as follows:

(a) Section 14(a) (D.C. Official Code § 6-213(a)) is amended by adding a new sentence at the end to read as follows:

Amend
§ 6-213

“The Executive Director shall be a District resident and shall remain a District residency throughout his or her term and failure to maintain District residency shall result in a forfeiture of the position.”

(b) Section 16 (D.C. Official Code § 6-215) is amended by adding a new subsection (f) to read as follows:

Amend
§ 6-215

“(f) Notwithstanding the provisions of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), each qualified District resident applicant shall receive an additional 10-point preference over a qualified non-District resident applicant for all positions within the Authority unless the applicant declines the preference. This 10-point preference shall be in addition to, and not instead of, qualifications established for the position. All persons hired after the effective date of the Jobs for D.C.

ENROLLED ORIGINAL

Residents Amendment Act of 2007, passed on 2nd reading on October 2, 2007 (Enrolled version of Bill 17-185), shall submit proof of residency upon employment in a manner determined by the Board. An applicant claiming the hiring preference under this section shall agree in writing to maintain bona fide District residency for a period of 7 consecutive years from the effective date of hire and shall provide proof of such residency annually to the director of personnel of the Authority for the first 7 years of employment. Failure to maintain District residency for the consecutive 7-year period shall result in forfeiture of employment. The Authority shall submit to the Mayor and the Council annual reports detailing the names of all new employees and their pay schedules, titles, and place of residence.”.

Sec. 209. Section 3 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (D.C. Law 8-163; D.C. Official Code § 6-623.02), is amended to read as follows:

Amend
§ 6-623.02

“Sec. 3. Office of Zoning – Director and staff; appointment.

“(a) The Office of Zoning shall consist of a Director and other staff as the Zoning Commission considers necessary.

“(b) The Director of the Office of Zoning shall be appointed by the District members of the Zoning Commission and shall serve as an excepted service employee in accordance with section 901 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-609.01). The Director shall be a District resident throughout his or her term and failure to maintain District residency shall result in a forfeiture of the position.

“(c) Notwithstanding the provisions of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), each qualified District resident applicant shall receive an additional 10-point preference over a qualified non-District resident applicant for all positions within the Office of Zoning unless the applicant declines the preference. This 10-point preference shall be in addition to, and not instead of, qualifications established for the position. All persons hired after the effective date of the Jobs for D.C. Residents Amendment Act of 2007, passed on 2nd reading on October 2, 2007 (Enrolled version of Bill 17-185), shall submit proof of residency upon employment in a manner determined by the Office of Zoning. An applicant claiming the hiring preference under this section shall agree in writing to maintain bona fide District residency for a period of 7 consecutive years from the effective date of hire and shall provide proof of such residency annually to the director of personnel for the Office of Zoning for the first 7 years of employment. Failure to maintain District residency for the consecutive 7-year period shall result in forfeiture of employment. The Office shall submit to the Mayor and Council annual reports detailing the names of all new employees and their pay schedules, titles, and place of residence.”.

ENROLLED ORIGINAL

Sec. 210. The Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.01 *et seq.*), is amended as follows:

(a) Section 207(a) (D.C. Official Code § 10-1202.07(a)) is amended by adding a new sentence at the end to read as follows:

Amend
§ 10-1202.07

“The General Manager shall be a resident of the District and shall remain a District resident for the duration of his or her employment by the Authority. Failure to maintain District residency shall result in a forfeiture of the position.”

(b) Section 216 (D.C. Official Code § 10-1202.16) is amended to read as follows:

Amend
§ 10-1202.16

“The District of Columbia Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), shall not apply to employees of the Authority; provided, that:

“(1) Titles V and XVII shall apply.

“(2) Notwithstanding the provisions of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), each qualified District resident applicant shall receive an additional 10-point preference over a qualified non-District resident applicant for all positions within the Authority unless the applicant declines the preference. This 10-point preference shall be in addition to, and not instead of, qualifications established for the position. All persons hired after the effective date of the Jobs for D.C. Residents Amendment Act of 2007, passed on 2nd reading on October 2, 2007 (Enrolled version of Bill 17-185), shall submit 8 proofs of residency upon employment in a manner determined by the Board of Directors. An applicant claiming the hiring preference under this section shall agree in writing to maintain bona fide District residency for a period of 7 consecutive years from the effective date of hire and shall provide proof of such residency annually to the director of personnel for the Authority for the first 7 years of employment. Failure to maintain District residency for the consecutive 7-year period shall result in forfeiture of employment. The Authority shall submit to the Mayor and Council annual reports detailing the names of all new employees and their pay schedules, titles, and place of residence.”

Sec. 211. Section 1506 of the Fiscal Year 2002 Budget Support Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 22-4235), is amended by adding a new subsection (b-1) to read as follows:

Amend
§ 22-4235

“(b-1) Notwithstanding the provisions of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), each qualified District resident applicant shall receive an additional 10-point preference over a qualified non-District resident applicant for all positions within the CJCC unless the applicant declines the preference. This 10-point preference shall be in addition to, and not instead of, qualifications established for the position. All persons hired after the effective date of the Jobs for D.C. Residents Amendment Act of 2007, passed on 2nd reading on October 2, 2007 (Enrolled version of Bill 17-185), shall submit proof of residency upon employment in a manner determined by the CJCC. An applicant claiming the hiring preference under this section shall

ENROLLED ORIGINAL

agree in writing to maintain bona fide District residency for a period of 7 consecutive years from the effective date of hire and shall provide proof of such residency annually to the director of personnel for the CJCC for the first 7 years of employment. Failure to maintain District residency for the consecutive 7-year period shall result in forfeiture of employment. The CJCC shall submit to the Mayor and Council annual reports detailing the names of all new employees and their pay schedules, titles, and place of residence.”.

Sec. 212. Section 8 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen and for other purposes, approved March 4, 1913 (37 Stat. 993; scattered sections of the D.C. Official Code), is amended as follows:

(a) Paragraph 91A (D.C. Official Code § 34-804) is amended as follows:

Amend
§ 34-804

(1) Subparagraph (b) is amended by adding a new sentence at the end to read as follows:

“The People’s Counsel shall be a District resident throughout his or her term and failure to maintain District residency shall result in a forfeiture of the position.”.

(2) A new subparagraph (c-1) is added to read as follows:

“(c-1) Notwithstanding the provisions of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), each qualified District resident applicant shall receive an additional 10-point preference over a qualified non-District resident applicant for all positions within the Office of the People’s Counsel unless the applicant declines the preference. This 10-point preference shall be in addition to, and not instead of, qualifications established for the position. All persons hired after the effective date of the Jobs for D.C. Residents Amendment Act of 2007, passed on 2nd reading on October 2, 2007 (Enrolled version of Bill 17-185), shall submit proof of residency upon employment in a manner determined by the People’s Counsel. An applicant claiming the hiring preference under this section shall agree in writing to maintain bona fide District residency for a period of 7 consecutive years from the effective date of hire and shall provide proof of such residency annually to the director of personnel for the Office of the People’s Counsel for the first 7 years of employment. Failure to maintain District residency for the consecutive 7-year period shall result in forfeiture of employment. The People’s Counsel shall submit to the Mayor and Council annual reports detailing the names of all new employees and their pay schedules, titles, and place of residence.”.

(b) Paragraph 95 (D.C. Official Code § 34-806) is amended by adding a new subparagraph (a-1) to read as follows:

Amend
§ 34-806

“(a-1) Notwithstanding the provisions of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), each qualified District resident applicant shall receive an additional 10-point preference over a qualified non-District resident applicant for all positions within the Commission unless the applicant declines the preference. This 10-point preference shall be in addition to, and not instead of, qualifications established for the position. All persons hired after the effective date of the Jobs

ENROLLED ORIGINAL

for D.C. Residents Amendment Act of 2007, passed on 2nd reading on October 2, 2007 (Enrolled version of Bill 17-185), shall submit proof of residency upon employment in a manner determined by the Commission. An applicant claiming the hiring preference under this section shall agree in writing to maintain bona fide District residency for a period of 7 consecutive years from the effective date of hire and shall provide proof of such residency annually to the director of personnel for the Commission for the first 7 years of employment. Failure to maintain District residency for the consecutive 7-year period shall result in forfeiture of employment.”.

Sec. 213. The Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2201.01 *et seq.*), is amended as follows:

(a) Section 206 (D.C. Official Code § 34-2202.06) is amended by adding 2 new sentences at the end to read as follows:

Amend
§ 34-2202.06

“The General Manager shall be a resident of the District and shall remain a District resident for the duration of his or her employment by the Authority. Failure to maintain District residency shall result in a forfeiture of the position.”.

(b) Section 215 (D.C. Official Code § 34-2202.15) is amended by adding a new subsection (c) to read as follows:

Amend
§ 34-2202.15

“(c)(1) Notwithstanding the provisions of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), each qualified District resident applicant shall receive an additional 10-point preference over a qualified non-District resident applicant for all positions within the Authority unless the applicant declines the preference. This 10-point preference shall be in addition to, and not instead of, qualifications established for the position. All persons hired after the effective date of the Jobs for D.C. Residents Amendment Act of 2007, passed on 2nd reading on October 2, 2007 (Enrolled version of Bill 17-185), shall submit proof of residency upon employment in a manner determined by the Board of Directors. An applicant claiming the hiring preference under this section shall agree in writing to maintain bona fide District residency for a period of 7 consecutive years from the effective date of hire and shall provide proof of such residency annually to the director of personnel of the Authority for the first 7 years of employment. Failure to maintain District residency for the consecutive 7-year period shall result in forfeiture of employment.

“(2) The Authority shall submit to the Mayor and the Council annual reports detailing the names of all new employees and their pay schedules, titles, and place of residence.”.

Sec. 214. The District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321 [226]; D.C. Official Code § 38-1800.01 *et seq.*), is amended as follows:

(a) Section 2207 (D.C. Official Code § 38-1802.07) is amended by adding a new subsection (d) to read as follows:

Amend
§ 38-1802.07

ENROLLED ORIGINAL

“(d) Notwithstanding the provisions of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.02 *et seq.*), each qualified District resident applicant shall receive an additional 10-point preference over a qualified non-District resident applicant for all positions within a public charter school unless the applicant declines the preference. This 10-point preference shall be in addition to, and not instead of, qualifications established for the position. All persons hired after the effective date of the Jobs for D.C. Residents Amendment Act of 2007, passed on 2nd reading on October 23, 2007 (Enrolled version of Bill 17-185), shall submit 8 proofs of residency upon employment in the manner determined by the Board. An applicant claiming the hiring preference under this section shall agree in writing to maintain bona fide District residency for a period of 7 consecutive years from the effective date of hire and shall provide proof of such residency annually to the director of personnel of the public charter school for the first 7 years of employment. Failure to maintain District residency for the consecutive 7-year period shall result in forfeiture of employment. The public charter school shall submit to the Board annual reports detailing the names of all new employees and their pay schedules, titles, and place of resident.”.

(b) Section 2214(d) (D.C. Official Code § 38-1802.14(d) is amended as follows:

Amend
§ 38-1802.14

(1) Paragraph (1) is amended by adding a new sentence at the end to read as follows:

“The Executive Director shall be a District resident throughout his or her term and failure to maintain District residency shall result in a forfeiture of the position.”.

(2) Paragraph (2) is amended by adding 6 new sentences to read as follows:

“Notwithstanding the provisions of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), each qualified District resident applicant shall receive an additional 10-point preference over a qualified non-District resident applicant for all positions within the Board unless the applicant declines the preference. This 10-point preference shall be in addition to, and not instead of, qualifications established for the position. All persons hired after the effective date of the Jobs for D.C. Residents Amendment Act of 2007, passed on 2nd reading on October 2, 2007 (Enrolled version of Bill 17-185), shall submit proof of residency upon employment in a manner determined by the Board. An applicant claiming the hiring preference under this section shall agree in writing to maintain bona fide District residency for a period of 7 consecutive years from the effective date of hire and shall provide proof of such residency annually to the Director of Personnel for the first 7 years of employment. Failure to maintain District residency for the consecutive 7-year period shall result in forfeiture of employment. The Board shall submit to the Mayor and Council annual reports detailing the names of all new employees and their pay schedules, titles, and place of residence.”.

Sec. 215. The District of Columbia Housing Finance Agency Act, effective March 3, 1979 (D.C. Law 2-135; D.C. Official Code § 42-2701.01 *et seq.*), is amended as follows:

(a) Section 203 (D.C. Official Code § 42-2702.03) is amended as follows:

Amend
§ 42-2702.03

ENROLLED ORIGINAL

(1) A new subsection (a-1) is added to read as follows:

“(a-1) The Executive Director shall be a District resident throughout his or her term and failure to maintain District residency shall result in a forfeiture of the position.”.

(2) Subsection (c) is amended as follows:

(A) The existing text is re-designated as paragraph (1).

(B) A new paragraph (2) is added to read as follows:

“(2) Notwithstanding the provisions of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), each qualified District resident applicant shall receive an additional 10-point preference over a qualified non-District resident applicant for all positions within the Agency unless the applicant declines the preference. This 10-point preference shall be in addition to, and not instead of, qualifications established for the position. All persons hired after the effective date of the Jobs for D.C. Residents Amendment Act of 2007, passed on 2nd reading on October 2, 2007 (Enrolled version of Bill 17-185), shall submit 8 proofs of residency upon employment in a manner determined by the Board of Directors. An applicant claiming the hiring preference under this section shall agree in writing to maintain bona fide District residency for a period of 7 consecutive years from the effective date of hire and shall provide proof of such residency annually to the director of personnel for the Agency for the first 7 years of employment. Failure to maintain District residency for the consecutive 7-year period shall result in forfeiture of employment.”.

(b) Section 503 (D.C. Official Code § 42-2705.03) is amended by striking the phrase “accomplishments,” and inserting the phrase “accomplishments, and the names of all new employees and their pay schedules, titles, and place of residence,” in its place.

Amend
§ 42-2705.03

Sec. 216. The Public Parking Authority Establishment Act of 1994, effective August 23, 1994 (D.C. Law 10-153; D.C. Official Code § 50-2501 *et seq.*), is amended as follows:

(a) Section 7(a) (D.C. Official Code § 50-2506(a)) is amended by adding a new sentence at the end to read as follows:

Amend
§ 50-2506

“The Executive Director shall be a District resident throughout his or her term and failure to maintain District residency shall result in a forfeiture of the position.”.

(b) A new section 7a is added to read as follows:

“Sec. 7a. Employees.

“Notwithstanding the provisions of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), each qualified District resident applicant for a position within the Authority shall receive an additional 10-point preference over a qualified non-District resident applicant unless the applicant declines the preference. This 10-point preference shall be in addition to, and not instead of, qualifications established for the position. All persons hired after the effective date of the Jobs for D.C. Residents Amendment Act of 2007, passed on 2nd reading on October 2, 2007 (Enrolled version of Bill 17-185), shall submit proof of residency upon employment in a manner determined by the Board of Directors. An applicant claiming the hiring preference under this

ENROLLED ORIGINAL

section shall agree in writing to maintain bona fide District residency for a period of 7 consecutive years from the effective date of hire and shall provide proof of such residency annually to the director of personnel for the Authority for the first 7 years of employment. Failure to maintain District residency for the consecutive 7-year period shall result in forfeiture of employment. The Authority shall submit to the Mayor and Council annual reports detailing the names of all new employees and their pay schedules, titles, and place of residence.”.

TITLE III. SUBJECT TO APPROPRIATION; FISCAL IMPACT STATEMENT;
EFFECTIVE DATE.

Sec. 301. Inclusion in the budget and financial plan.

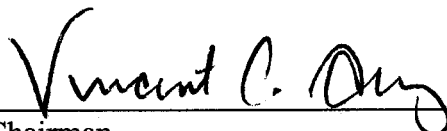
This act shall take effect subject to the inclusion of its fiscal effect in an approved budget and financial plan.

Sec. 302. Fiscal impact statement.

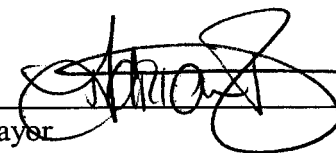
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02 (c)(3)).

Sec. 303. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of Congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
October 26, 2007